

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	4:03CR3176
Plaintiff,)	
)	ORDER ON MOTION FOR LEAVE TO
v.)	WITHDRAW A PLEA OF GUILTY,
)	REQUEST TO RESCIND MOTION TO
ANTHONY J. CAMPBELL,)	WITHDRAW PLEA OF GUILTY AND
)	ORDER ON RECOMMENDATION OF
Defendant.)	MAGISTRATE JUDGE REGARDING
)	GUILTY PLEA

A magistrate judge has recommended that I accept the defendant's plea of guilty and plea agreement. On May 5, 2005, the plaintiff by and through his counsel of record filed a Motion for Leave to Withdraw a Plea of Guilty, filing 38. On May 13, 2005, the plaintiff filed a Request to Rescind Motion to Withdraw Plea of Guilty, filing 40. For the reasons stated in the Request to Rescind Motion to Withdraw Plea of Guilty, the Motion for Leave to Withdraw, filing 38, will be denied and the Request to Rescind Motion to Withdraw Plea of Guilty, filing 40, will be granted.

IT IS ORDERED that:

1. the Motion for Leave to Withdraw, filing 38, is denied;
2. the Request to Rescind Motion to Withdraw Plea of Guilty, filing 40, is granted;
3. I find after de novo review that the plea of guilty is knowing, intelligent, voluntary, and that there is a factual basis for the plea. The defendant is found guilty; and
4. the written plea agreement attached to the Petition to Enter a Plea of Guilty is not yet accepted. Before any sentence is passed, the agreement will be accepted or, if

it is not accepted, the defendant will be given an opportunity to withdraw the plea of guilty. If the plea agreement is accepted, the sentence will be consistent with the plea agreement.

Dated May 18, 2005.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge